

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:23CR36
)
vs.)
)
CAREY DEAN PHILIPS, JR.,) ORDER
)
Defendant.)

This matter is before the court on the Unopposed Motion to Continue Trial [38]. Counsel needs additional time to conduct plea negotiations. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [38] is granted, as follows:

1. The jury trial now set for December 18, 2023, is continued to **January 22, 2024**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 22, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED: December 4, 2023.

BY THE COURT:

**s/ Michael D. Nelson
United States Magistrate Judge**